

SENATE BILL 1057

By Kelsey

AN ACT to amend Tennessee Code Annotated, Title 16
and Title 17, relative to the judiciary.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 17-2-102, is amended by deleting the section and substituting instead the following:

The judges of the supreme court, within the first week of each term, or as soon thereafter as the fact comes to their knowledge, shall certify to the governor all cases upon the docket in which any of them are incompetent to sit, upon the receipt of which certificate the governor shall appoint and commission the requisite number of competent lawyers to dispose of the causes. Such certification may be presented in an electronic format or transmitted by electronic means to the governor if the governor so approves.

SECTION 2. Tennessee Code Annotated, Section 17-2-115, is amended by deleting the section and substituting instead the following:

When any judge of any circuit court, criminal court, or chancellor, or judge or chancellor of any special court of equal dignity with circuit or chancery court, certifies to the governor that the judge or chancellor is incompetent to hold the judge's or chancellor's court, or to try any cause or causes pending in the judge's or chancellor's court, the governor shall appoint some person learned in the law and constitutionally qualified to discharge the duties of the office of judge or chancellor, to hold the court or try the cause or causes. Such certification may be presented in an electronic format or transmitted by electronic means to the governor if the governor so approves.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.